

REMARKS

Applicants have canceled claims 1-64 without prejudice and inserted new claims 65-75. Support for the new claims is found *inter alia* in the specification. New claims 65-74 correspond to canceled claims 1-3, 5, 8-10, 12, 13, and 17. Support for new claim 75 is at page 12, lines 14-15 of the specification. New claims 65-75 are identical to the pending claims in copending application U.S. Serial No. 09/643,334. Applicants submit that the addition of these new claims raises no issue of new matter. Thus, claims 65-75 will be pending upon entry of this amendment.

Information Disclosure

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants request that the following disclosures be made of record in the above-identified application pursuant to 37 C.F.R. §1.97(b). These references are also listed on the attached Form PTO-1449 (**Exhibit A**). Copies of these items were previously submitted in connection with prior application U.S. Serial No. 08/862,438, now U.S. Patent No. 6,106,827, issued August 22, 2000, item No. 1 below, attached hereto as **Exhibit 1**.

1. U.S. Patent No. 6,106,827, issued August 22, 2000, La Gamma et al. (**Exhibit 1**);
2. U.S. Patent No. 5,082,670, issued January 21, 1992, Gage et al.;
3. U.S. Patent No. 5,190,931, issued March 2, 1993, Inouye, M.;
4. PCT International Application No. WO 90/06757, published June 1990;
5. "Introduction of DNA into Mammalian Cells", in Current Protocols in Molecular Biology, Wiley & Sons, New York, New York Supp. 14, 9.0.1-9.9.3 (1991);

6. Alberts B. et al., "Molecular Biology of the Cell", Garland Publishing, Inc., New York, pp.1016-1018, 1079 (1983);
7. Angier N., New York Times, "New Nerve Tissue is Generated from the Brain Cells of Mice", pp. A1 and A18 (Mar. 27, 1992);
8. ASM News 58:67-69 (Feb. 1992);
9. Barinaga M., "Challenging the 'no new neurons' dogma," Science 255:1646 (1992);
10. Bishop J.E., The Wall Street Journal, "Nova Pharmaceutical Seeks Treatments for Diseases Using Test-Tube Brain Cells", p. B3 (Mar. 15, 1991);
11. Bjorklund A., TINS 14:319-322 (1991);
12. Blakemore W.F and R.J.M. Franklin, Trends Neurosci. 14:323-27 (1991);
13. Bloom F.E., in Psychopharmacology: The Third Generation of Progress, edited by H. Y. Meltzer, Raven Press, New York, Chap. 182, p. 1685, 1687 1688 (1987);
14. Bonnelli E. et al., Proc. Natl. Acad. Sci. U.S.A. 85:7572-76 (1988);
15. Cattaneo E. and R. McKay, Trends Neurosci. 14:338-340 (1991);
16. Choo et al., DNA, 5(6):529-37 (1986);
17. Comb et al., Nature, 323:353-56 (1986);
18. Cunningham et al., Brain Res., 561:192-202 (1991);
19. Emmett et al., Brain Res., 447:223-33 (1988);
20. Erickson D., Scientific American, pp. 134, 136 (1992);
21. Fisher L.J. et al., Neuron 6:371-80 (1991);
22. Freed W.J. et al., Prog. Brain Res. 82:11-20 (1990);

23. Friedmann T., Scientific American, pp. 96-101 (1997);
24. Friedmann T., Science 244:1275-81 (1989);
25. Gage F.H. and L.J. Fisher, Neuron 6:1-12 (1991);
26. Gage F.H. et al., Neuroscience 23:795-807 (1987);
27. Gage F.H. et al., Prog. Brain Res. 82:1-10 (1990);
28. Gage F.H. et al., Trends Neurosci. 14:328-35 (1991);
29. Gill et al., J. Amer. Med. Assoc., 261:2674-76 (1989);
30. Goetz et al., New Engl. J. Med., 320:337-41 (1989);
31. Hoffer B.J. and L. Olson, Trends Neurosci. 14:384-87 (1991);
32. Hoffman M., Science 256:445 (1992);
33. Horellou P. et al., Neuron 5:393-402 (1990);
34. Kimelberg et al. "Astrocytes", Scientific American 260: 66-76 (1989);
35. Ledley F. D., Intl. Pediatrics 7:7-15 (1992);
36. Lindvall O., Trends Neurosci. 14:376-82 (1991);
37. Maxwell I. et al. Cancer Res. 46:4660-64 (1986);
38. McIvor R. et al. Mol. Cell Biol. 5(6):1349-57 (1985);
39. Melner M. et al., EMBO J. 9(3):791-96 (1990);
40. Miura M. et al., J. Neurochem. 55:1180-88 (1990);
41. Moolten, Cancer Res. 46:5276-81 (1986);
42. Morris B., Neuroscience 25:525-32 (1988);
43. Morris et al., Neuroscience 25(2):525-32 (1988);
44. Mucke L. et al., The New Biologist 3(5):465-74 (1991);
45. Olson et al., Endocrinology 129:1066-74 (1991);
46. Orkin S. et al., NIH Assessment of Gene Therapy (1995);

47. Pollack A., The New York Times, "Gene Therapy Gets the Go-Ahead", p. D1 and D5 (1992);
48. Pollack et al., J. Neurosci. Res. 31:33-45 (1992);
49. Plautz et al., "Selective elimination of recombinant genes in vivo with a suicide retroviral vector", New Biologist 3(7):709-15 (1991);
50. Reynolds B. A. and Weiss S., Science 255:1707-10. (1992);
51. Rosenthal N., Meth. Enzymol. 152:704-20 (1987);
52. Sambrook et al., "Molecular Cloning," Cold Spring Harbor, NY, CSH Press, pp. 16.39-16.40, 16.54-16.55 (1989);
53. Sarid J. J. Neuro, Sci. Res. 28:217-28 (1991);
54. Shinoda et al. Science, 245:415-17 (1989);
55. Sloan D.J. et al., Trends in Neurosci. 14:341-46 (1991);
56. The Economist pp. 95-97 (Apr. 25, 1992);
57. Thompson L., Science 255:1072 (1992);
58. Verma I. et al., Nature 389:239-42 (1997); and
59. Wolff J.A. et al., Proc. Natl. Acad. Sci. U.S.A. 86:9011-14 (1989).

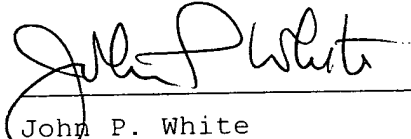
### Summary

No fee, other than the enclosed \$375.00 application filing fee, is deemed necessary in connection with the filing of this Preliminary Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Applicants: La Gamma et al.  
Serial No.: Not Yet Known  
Filed: Herewith  
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If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John P. White", written over a horizontal line.

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